



April 7, 2006

Mr. Bill Brattain  
Central Valley Regional Water Quality Control Board  
11020 Sun Center Drive, Suite #200  
Rancho Cordova, CA 95670-6114

**Re:** Comments on the Draft General Waste Discharge Requirements and Reporting Program for Discharges of Green Waste for Composting within the Central Valley Region

Dear Mr. Brattain,

The California Refuse Removal Council (CRRC) is a non-profit trade association comprised of companies involved in the collection, processing, and composting of organic materials. The association encompasses two districts that provide services to members in Northern and Southern California. Jointly, the CRRC is writing you to submit comments on the Draft General Waste Discharge Requirements and Reporting Program for Discharges of Green Waste for Composting within the Central Valley Region (Green Waste WDRs). The draft Green Waste WDRs were issued on February 10, 2006, with comments due on April 7, 2006.

We cannot support the regulations in their current form. The members of CRRC have deep concerns over this proposed regulatory package and its impacts on compost facilities throughout the Central Valley Water Quality Control Board's jurisdiction. Indeed, should these regulations be adopted in their current draft form—and given that they may be used as a model by Regional Water Boards statewide—they could lead to the extinction of numerous green material composting operations throughout California. While our members are ardent supporters of environmental protection and the implementation of sustainable practices that will benefit the citizens of our state, we believe these Draft Green Waste WDRs are overly aggressive in their scope, burdensome in their application, and will hamper the ability of many cities and counties to meet the landfill diversion mandates of AB 939.

These draft Green Waste WDRs have raised the bar on regulation of green material compost facilities to economically unfeasible heights, largely without the benefit of evidence to support their stringent requirements and one-size-fits-all approach. The purpose of these General WDRs—as it is our understanding—is to provide a set of baseline requirements for facilities that compost green materials within your jurisdiction. If this is true, we fail to see why these new minimum requirements are significantly more rigorous than those identified in any of the individual WDRs for green waste composting facilities previously approved by your Board. Given the broad variation in site specific conditions, the rationale to develop general WDRs that are more restrictive than any individual WDRs appears to be unwarranted.

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Specifically, the following elements of these draft WDRs are troublesome and warrant additional consideration and review prior to adoption:

- **Public Notice** – a significant percentage of the dischargers were not properly notified, as numerous names and affiliations, and their corresponding addresses, are incorrect as listed in the "cc w/Encl" and "cc w/o Encl" sections on page 2 and 3 of your cover letter. This section also notes that an opportunity for a public hearing was provided; please provide information regarding the time and location of this hearing.
- **Design specifications for retention basins**—to include 100-year annual return capacity and two feet of freeboard, in addition to the liner system—and operations pads appear to be overkill given a lack of pertinent groundwater monitoring data to support them.
- **Odor monitoring** is currently under the jurisdiction of Local Enforcement Agencies. These requirements appear to be duplicative and somewhat vague as to the nature of the odors to be monitored and their relationship to impacts on water quality. It is also unclear as where your agency derives their statutory authority to address odor issues.
- **Monitoring and Reporting Program** – the requirement for semi-annual reporting, with its incremental costs, lacks a nexus to potential water quality improvement; annual reporting has been standard in previous WDRs and provides an adequate period of review for these facilities. No justification is given for the testing of Chlorophenoxy Herbicides; if this parameter has presented itself as a threat to water quality, please provide that data in the information sheet.

These WDRs fail to differentiate between green material feedstocks and finished compost, when assessing their potential impacts on water quality. Finished compost is used across the country for stormwater, groundwater and wetlands remediation, erosion control, and landscaping applications and has proven to have positive effects on water quality in these uses. Title 14 requirements for compost facility design are explicit in their elimination of potential contamination of finished compost by leachate from materials that have not completed the pathogen reduction phase of the composting process; finished product must not be stored downgrade from unfinished materials. Please provide the rationale for the inclusion of finished product storage in the scope of these regulations.

CRRC believes that properly-run green material composting operations do not pose a significant threat to surface water or groundwater, particularly to a level that would justify the costly improvements (pad design specifications, lined retention basins, etc.) and onerous monitoring and reporting elements outlined in these regulations. The only support data provided are stormwater runoff sample results from one facility in San Joaquin County. The poor results of testing at one facility should not serve as representative of the entire industry; the results can be attributed to poor materials management practices, questionable feedstock sources, or a host of variables that may be unique to that operation.

Our members have a commitment to effective recycling that is unwavering. Green waste and other compostable materials that are diverted from disposal account for a significant percentage of the state's diversion mandate. The continued success of green waste recycling programs is dependent upon the development of cost-effective, practical regulations that will protect the

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environment in balance with the substantial benefits of composting operations to the sustainable future of our state. We look forward to continued participation in the development of this *regulatory package*, with an eye on results that are responsive to the need for landfill diversion—as provided by green materials composting operators—while adequately protecting the waters of the state.

Sincerely,

A handwritten signature in dark ink, appearing to read "Evan W.R. Edgar". The signature is stylized, with the first name "Evan" written in a cursive script, followed by "W.R." in a more formal, blocky style, and "Edgar" in a cursive script.

Evan W.R. Edgar  
Director of Regulatory Affairs